

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

SUIT No. 1354 of 1986.

The Scotch Whisky Association,
U.K. & Ors. Plaintiffs.

V/s.

Jagatjit Industries Ltd. ..**Defendants.**

Mr. K. J.Munshi i/b. Little & Co.for
plaintiffs.

Mr. Salil Shah i/b Anil T. Agarwal
for defendants.

CORAM:S.C.DHARMADHIKARI,J.

DATED: 19TH JULY, 2006.

P.C.:-

1] Mr. Munshi appearing for the plaintiffs
and Mr. Shah appearing for the defendants,
tender Consent Terms which are taken on
record and marked "X" for identification.

2] The dispute in the suit which is filed
for protection of the label and marked Exh.1
to the Consent Terms, is settled inasmuch as
the defendant has undertaken not to use this

label and instead replace the present label by one at Exh. 2 to the Consent Terms.

3] The Undertaking by the defendants in Clauses 1, 2 and 4 is accepted.

4] In Clause " 6" a further Undertaking is given which is also accepted.

5] In the light of the fact that the defendants have agreed to adopt another label for their product, the dispute is settled. The defendants, as also the plaintiffs and their Advocates have signed the Consent Terms.

6] Mr. Deepankar Barat, President, has been authorized by the defendant-Company to sign these terms and Mr. Shah states that the signature on the consent terms is that of Mr. Barat.

7] He placed on record an extract of the Resolution passed in the Meeting of the Board of Directors of the Company held on 31st

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July,2004 and states further that Mr. Barat continues to be associated with the defendant.

8] Order in terms of the Consent Terms.

9] In the light of the disposal of the suit, Chamber Summons No. 1368 of 2005 does not survive and is accordingly disposed off.

[S.C. DHARMADHIKARI,J]